Professional Liability: Engineering the Perfect Deposition

Presented by:

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February 5, 2019

GOALS FOR THIS PRESENTATION:

- Demonstrate in a light-hearted way some mistakes that can be avoided
- Help you identify potential traps in a deposition
- We will be pausing the presentation at certain points to discuss problematic answers that are given, and to rewind the deposition to demonstrate better answers

DEPOSITION: THE PURPOSE

Fact finding
Preservation of testimony
Learning about opponent.



DEPOSITION: THE SIGNIFICANCE

Used for motion practice
Used for mediation
Used at trial to impeach



DEPOSITION: THE PARTIES

- Plaintiff's Attorney
- Defendant's Attorney
- Court Reporter
- Witness



DEPOSITION: PREPARATION

Meeting with counsel





DEPOSITION: THE PREPARATION

WITNESS GUIDELINES FOR DEPOSITION AND TRIAL TESTIMONY

The following are suggestions to assist you in giving testimony in this case. Your deposition will probably be given in a lawyer's office with lawyers representing each party in the lawsuit present. Each lawyer in attendance will have an opportunity to ask you questions; the lawyer scheduling the deposition going first. The questions and answers will be taken down by a court reporter. At some later date, your testimony will probably be typed into a transcript by the court reporter for use by the attorneys. You will be "sworn in" to tell the truth before testifying.

You should keep in mind that the attorneys involved will be evaluating the type of impression that you will make in the event that the case eventually goes to trial and you will be called upon to testify once again in front of the judge and jury. Your general appearance, manner of dress, and demeanor will all be important in the lawyer's evaluation of the impact you might have on his case at the trial. It is important that you keep this in mind.

- <u>TELL THE TRUTH</u> A lie may lose the case. In a lawsuit, as in all other matters, honesty is the best policy. Don't tell a falsehood. Telling the truth requires that a witness testify accurately about what he or she knows and actually saw. If you tell the truth and tell it accurately, nobody can cross you up.
- <u>DON'T GUESS</u> If you don't know, say you don't know or don't recall or remember. Give positive answers when you can.
- <u>UNDERSTAND</u> You can't possibly give a truthful and accurate answer unless you understand the question. If you don't understand the question, ask the lawyer to repeat it or rephrase it.
- <u>TAKE YOUR TIME</u> Give the question as much thought as it requires for you to understand it and think about your answer. Then give the answer.
- <u>ANSWER THE QUESTION</u> that is asked and then stop. Don't volunteer information. Answer the question in as few words as possible. Don't ramble.
- <u>TALK DISTINCTLY</u> and loud enough so everybody can hear you.

CARRIE STRONG v WALLOON COUNTY ROAD COMMISSION

Motorcycle crash on a curve





CARRIE STRONG v WALLOON COUNTY ROAD COMMISSION •Alleges crack seal on road was as slippery

as ice





STRONG v WALLOON COUNTY ROAD COMMISSION

BURT R. THOMPSON, P.E. ENGINEER – MANAGER WCRC



STRONG v WALLOON COUNTY ROAD COMMISSION BURT R. THOMPSON, PE



STRONG v WALLOON COUNTY ROAD COMMISSION

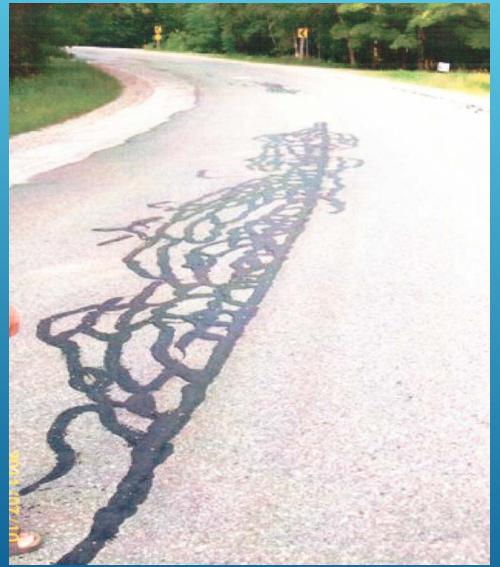
BURT R. THOMPSON, P.E.



STRONG V WALLOON COUNTY ROAD COMMISSION

BILL HENN, J.D. PLAINTIFF'S COUNSEL





502.01

502.03

Section 502. HMA CRACK TREATMENT

502.01. Description. This work consists of treating cracks in Hot Min Asphalt (HMA) surfaces using either a saw or rout and seal process or

502.02. Materials. Provide materials in accordance with the following

Hot Poured Joint Sealant	ning;
Hot Poured Joint Sealant Asphalt Binder Polyester Fibers	914
Polyester Fibers	
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A. Saw or Rout and Seal. Provide hot-poured joint sealant that meets the requirements of subsection 914.04 for sealing sawn or routed cracks.

B. Overband. Provide overband material as specified in subsection 502.02.B.1 or subsection 502.02.B.2.

- 1. Overband (Alternate 1). Provide a field-blended liquid mixture with is pre-production meeting with the Engineer to discuss the following: the following characteristics and proportions:
 - a. Performance graded asphalt binder PG 64-22 south of M-46 and PG 58-28 north of M-46;
 - b. Asphalt rubber product selected from the Qualified Product List 5 percent by weight; and
 - c. Polyester fibers, 5 percent by weight.

If using field mixed material, add the polyester fibers to the polymer; Crack Preparation. Clean and dry cracks using compressed air and modified asphalt cement and mix in the kettle. Do not allow field mix ther tools to remove loose dirt, vegetation, and deleterious material. material to exceed 400 °F.

2. Overband (Alternate 2). Provide an asphalt rubber product). Crack Treatment Methods. selected from the Qualified Product List. Do not allow prepackaged material to exceed 400 °F.

502.03. Construction.

A. Equipment. Provide equipment, in accordance with section 107 and this subsection, capable of meeting the requirements of this subsection.

1. Compressed Air System. Provide and use a compressed air system that produces a continuous, high-volume, high-pressure stream of clean, dry air to prepare cracks. Equip the air compressor with a moisture separator to remove oil and water from the air supply. Provide a compressor capable of producing at least 100 psi at a continuous air flow of 150 cfm.

Melter Applicator. Provide a melter applicator consisting of a boiler kettle equipped with pressure pump, hose, and applicator wand. Equip the unit with the following:

Shutoff control on the applicator hose; я.

- b. Mechanical full-sweep agitator in the kettle to provide conti blending:
- c. Thermometers to monitor the material temperature an_ heating oil temperature; and
- Thermostatic controls that allow the operator to regulate material d. temperature up to 425 °F.

Application Wand. Apply the material using either a wand followed by a V-shaped or U-shaped squeegee or a round application head with a concave underside.

Pre-Production Meeting. Before beginning work, conduct an on-

Contractor's detailed work schedule, Traffic control plan, Required project documentation, Inspection of the condition of equipment, The Contractor's Quality Control (QC) Plan, and The Contractor's designated Authorized Representative.

Jean cracks no more than 10 minutes before filling.

Saw or Rout and Seal. Treat visible working cracks no greater than 1¼ inches wide in the pavement surface using the saw or rout and seal process. Treat working cracks in shoulders unless otherwise required. The Department defines working cracks as cracks that experience considerable horizontal or vertical movement, at least 1/2 inch, as a result of temperature change or traffic loading.

Create a reservoir by sawing or routing along the crack. Create the reservoir to a volume of at least 7.5 cubic inches per foot of crack and with a 1:1 width to depth ratio. Ensure the finished reservoir walls are vertical and the reservoir bottom is flat. Place sealant flush or no greater than 1/2 inch below the pavement surface.

2. Overband. The Contractor may treat non-working cracks with material placed in an overband configuration. The Department defines non-working cracks as cracks that experience relatively little

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502.03

horizontal or vertical movement, less than 1/2 inch, as a result of temperature change or traffic loading.

Apply overband material to clean, dry cracks. Apply overband 4 inches wide and from 1/6 inch to 3/16 inch thick.

The Contractor may increase the maximum application width to 6 inches for coverage of multiple cracks, with Engineer's prior written approval.

Place temporary pavement markings before opening the road to traffic if overband material obliterates existing pavement markings.

Apply overband as follows unless otherwise required:

- a. Stand Alone Overband Crack Fill. If no other surface treatment is required on the pavement, fill visible cracks in the road less than 11/4 inch wide.
- b. Micro-Surfacing Preparation. If preparing the pavement for a micro-surface overlay, fill visible cracks in the road less than 11% inch wide.
- c. Chip Seal Preparation. If preparing the pavement surface for a single or double chip seal, fill cracks greater than 1/6 inch wide or 3 feet long. Seal cracks with varying widths and portions at least 1/2 inch wide, along the entire length.
- d. Paver Placed Surface Seal. If preparing the pavement for a paver placed surface seal, fill cracks with widths from ¼ inch to 11/4 inch.
- HMA Ultra-Thin Overlay. If preparing the pavement for an HMA ultra-thin overlay, fill visible cracks less than 1% inch wide. e.

E. Weather Limitations. Place material at air temperatures from 45 °F. to 85 °F. Do not place material if moisture is present in the crack.

F. Cure Time and Repair. Allow the material to cool before opening the road to traffic. Apply de-tackifying solution, if required, to protect the uncured crack treatment material from tracking. Do not use blotting materials, including sand, aggregate, sawdust, or paper. Repair treated pavement areas, damaged by traffic at no additional cost to the Department.

G. Quality Control (QC). Provide and follow a QC plan for productionand construction processes. Provide the Engineer a copy of the QC plan for review and approval, prior to the pre-production meeting. Maintain QC measures until the Engineer accepts the work.

Comply with the approved QC plan throughout the project and al Engineer access to work in progress for assurance review and tes the Engineer identifies a condition causing unsatisfactory crack treatment, immediately stop production and correct the work at no additional cost to the Department.

Ensure the QC plan addresses at least the following:

1. A detailed description explaining how field crews will determine working and non-working cracks. Separately detail projects with multiple pavement sections.

2. The sealant material and equipment used to heat, handle, and apply sealant material in accordance with the manufacturer's specifications. Provide the material manufacturer's specifications to the Engineer upon request.

Reservoir configuration for the saw or rout and seal operation.

Procedures for crack cleaning.

Replacement criteria for cutting tools.

Controls implemented to ensure flying dust and debris is not directed toward adjacent traveled lanes, pedestrians, parked vehicles, or

buildings. An action plan for adjusting crack sealing operations to address actual environmental conditions if adverse environmental conditions

Proposed procedure for monitoring the work to ensure acceptance requirements are met.

H. Acceptance. Upon completion of work, schedule an inspection with the Engineer. The Engineer will note deficiencies, including areas exhibiting adhesion failure, cohesion failure, missed cracks, or other factors the Engineer determines unacceptable. Correct work the Notify the Engineer upon Engineer identifies as unacceptable. completion of required corrective work.

502.04. Measurement and Payment.

	Pay Unit
Pay Item Overband Crack Fill, Roadbed	Roadbed Mile
Overband Crack Fill, Roadbed	Roadbed Mile
Overband Crack Fill, Ramp	Readbod Mile
2: UNA Creak Treatmont Roadbed	
HMA Crack Treatment, Rouged HMA Crack Treatment, Ramp	Roadbed Mile

Overband Crack Fill. The Engineer will measure Overband Crack Fill, Roadbed along the roadway centerline. This measurement includes traffic lanes, paved shoulders, auxiliary lanes, and ramps to the

502.04

2-foot gore point. For divided highways, the Engineer will measure the roadway separately in each direction.

The Engineer will measure **Overband Crack Fill**, Ramp along the ramp centerline beginning at the 2-foot gore point.

The unit prices for **Overband Crack Fill**, of the type required, include the cost of preparing and filling cracks using the overband method, providing the required documentation, corrective work, and temporary traffic markings.

B. HMA Crack Treatment. The Engineer will measure HMA Crack Treatment, Roadbed along the roadway centerline. This measurement includes traffic lanes, paved shoulders, auxiliary lanes, and ramps to the 2-foot gore point. For divided highways, the Engineer will measure the roadway separately in each direction.

The unit price for HMA Crack Treatment, Roadbed includes the cost of preparing, filling, and sealing the cracks, including treating working cracks with the saw or rout and seal method, and treating non-working cracks with the overband method.

The Engineer will measure HMA Crack Treatment, Ramp along the ramp centerline beginning at the 2-foot gore point.

The unit price for HMA Crack Treatment, Ramp includes the cost of preparing, filling, and sealing the cracks, including treating working cracks with the saw or rout and seal method, and treating non-working cracks with the overband method.

Section 503. PAVER PLACED SURFACE SEAL

503.01. Description. This work consists of providing and placing paver placed surface seal (PPSS), including preparing existing pavement and constructing PPSS, uniform in texture, density, and smoothness with no measurable segregation.

503.02. Materials. Provide materials in accordance with the following.

Aggregate	
Asphalt Emulsion, PPSS	
Asphalt Binder,	4

A. Asphalt Binder Selection Criteria. Provide PG Asphalt Binder in accordance with Table 503-1.

Table 503 Performance Graded Asphalt E	
Location	PG Asphalt Binder
North of M-72 in lower peninsula and the upper peninsula	PG 64-28P
South of M-72 (including M-72)	PG 70-28P
MDOT Metro Region only	PG 70-22P

B. PPSS Mixture Design. Submit a mix design from a Departmentapproved laboratory to the Engineer, 5 working days before beginning construction. Design the mixture so asphalt binder produces a film thickness of at least 9 microns. Calculate the film thickness in accordance with the Hot Mix Asphalt Materials, Mixture Design and Construction, 2nd Edition, National Center for Asphalt Technology.

Provide a mix design in accordance with Table 503-2 and the minimum tim thickness. Do not use reclaimed material in the mixture.

C. Mix Design Documentation. Provide the following documents with the mix design:

Contractor Bituminous Mix Design Communication (Form 1855); Sample Identification, include with AWI sample (Form 1923);

 Average maximum percent draindown for each test temperature (Report);

Tensile Strength Worksheet (Form 1937);

Calculation of film thickness (Report);

The material sources for the mix design; and

Test results verifying the mix meets the requirements in Table 503-2 and the specified film thickness.

503.02





DEMAND FEATURES: DIESEL FUELED

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GENERAL

The purpose of these specifications is to describe a double-boiler type melter applicator that is specifically designed for and shall be capable of heating and applying all grades of asphalr tubber sealant, fiber modified asphalt scalant and apecification joint scalant without further equipment modification. It may be used for the application of resinous, colored scalant and filters. This unit shall be the manufacturer's current production model manufactured in the United States of America. The machine shall be capable of starting at ambient temperature and bringing the scalant material up to application temperature in one hour or less. All qualified bidders must have and maintain a complete inventory of repair parts and have experienced, factory-trained service personnel for this equipment. A comprehensive safety menual and an operational/maintenance CD there beards in a kettle or melter constructed as a double boiler, with space between the inner and outer shells filled with oil or other beards in a kettle or melter constructed as a double boiler, with space between the inner and outer shells filled with oil or other beart-transfor medium. Thermostatic control for the heat-transfor medium shall be provided and shall have sufficient sensitivity to maintain sealant temperature within the manufacturer's perified application temperature makes. Thermestate is health be sufficient specified application temperature makes. Thermestate is continued as required to assure accuracy. The melter shall have continuous scalant agitation and a mixing system to provide uniform viscosity and temperature with a sufficients.

REQUIRED SAFETY FEATURES

The unit shall have a safety shut-off on the lid that automatically stops the agitator when the lid is opened.

The applicator wand shall be equipped with an automatic shut-off feature that will stop the flow of scalant when the handle is relassed or dropped.

The sealant line pressure will automatically cease when the sealant flow is stopped. The operator shall not be required to perform any additional activity other than releasing the wand trigger switch to cease sealast line pressure. There shall be no valves in the line to allow interruption of sealant flow from the pump to the wand end. The heat transfer oil shall adequately and efficiently bring the sealast material to application temperature without the use of a heat transfer oil circulation pamp. This eliminates the potential exposure of personnel to pressurized hot heat transfer oil.

TOWING FRAME AND JACK

This unit shall be trailer mounted. The longitudinal side frames and tongue members of the trailer shall be on one continuous piece construction composed of hot rolled steel channel having the minimum dimensions of 5 inches (12.70 cm) web, 3/16 inch (.48 cm) thickness with 1.75 inch (4.5 cm) flanges. The configuration of the channels shall be cold formed with the flanges on the outside resulting in a one-piece frame member with no creass welding of or on the flanges to avoid any possibility of flange stress creaking. The tongue shall be equipped with an appropriate heavy duty ball or pintle hitch and shall be adjustable in height above ground level from a minimum of 14 inches (35.6 cm), to a maximum of 32 inches (81.3cm), permitting practically level towing with a wide range of towing vehicles. The towing hitch shall be a heavy duty type with a leasy height adjustment and/or conversion to other type hitches. A screw-post tongue jack shall be famished. It shall be a heavy duty type with a lead capacity of 7,000 pounds (3,175 kg) and it shall be tide mounted and swing away for positive road clearance while under tow.

RUNNING GEAR

The unit shall be equipped with a dual independent rubber torsional suspension having a safe load capacity of 7,000 pounds (3,175 kg), electric brakes, modular wheels and ST 205/75R 14-8 tubeless tires (Load Rauge C). This suspension eliminates springs and shackles that rust and reduce ground clearance. The metter shall have dual tuillights, stop lights and turn signals. Lights shall be ICC approved, A license plate holder shall be statched to the driver's side tuillight. All metter fluid tanks shall be positioned no lower than the deck level and be mounted on top of the channel fatme members to assure proper ground clearance. The unit shall also be equipped with two safety chains not less than 48 inches (121.9cm) of .38 inch. (97 cm) coil proof chain, attached to the tongue with a drilled type clevis pin on the end attached to the frame and screw type clevis pin on the opposite end. Total shipping weight is approximately 4,020 pounds (1,822 kg).

HEATING TANK

The material beating tank shall be a minimum of 37 inches (93.98 cm) diameter by 28.75 inches (73.02 cm) deep having a minimum capacity of 133.75 gallons (506.3 l) at ambient temperature. The tank will have a rear discharge from the pump and a rear plug outlet. A double boiler type jacket shall create a reservoir that shall hold a minimum of 34 gallons (129 l) of heat transfer oil at 70°F (21.1°C). (Note: at 50°F (260°C) the beating oil will expand approximately 18%) The jacket shall wrap around 100% of the outside area of the circular material tank and bottom and allow for complete circulation of the heated transfer oil. The tank and jacket shall be made of not less than 3/16 inch. (.94 cm) rolled sheet stoel. There shall be one plug to allow the outline heat transfer oil system to be drained. The heat transfer oil shall be c6.8.

EXPANSION TANK

A sealed expansion tank for heat transfer oil shall be provided to minimize oil oxidation and prevent moisture condensation into the heat transfer oil. Overflow down tubes are unacceptable.

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HYDRAULIC SYSTEM

The hydraulic system shall incorporate a single hydraulic pump to power the agitation and pumping system. All valves shall be solenoid operated by toggle switch and wand handle switch. The controls will allow for bi-directional operation of the scalant pump. A flow control valve will be mounted on the rear of the unit to allow the operator to adjust the pump operational speed. The minimum 32 gallon (1211) hydraulic tank will be equipped with an internal 10-micron fail flow filter. The filter shall be equipped with a restriction indicator to indicate the need for service. A sight gauge level indicator equipped with a thermometer to measure oil temperature will be mounted on the tank and located where it is easily viewed.

INSULATION

The heating tank shall be insulated with a minimum of 1-inch (2.54 cm) thick high temperature ceramic insulation and covered by a 22 gauge (.07 cm) steel outer wrapper. Fiberglass or rock wool insulation is unacceptable due to their moisture retention properties resulting in a significant less of their insulating value over an eighteen-month period.

LOADING HATCH

A low profile angled hid opening for loading shall be required at the top of the material tank and shall be located on the curteide of the machine for operator safety. The loading height shall be a minimum of 50 inches (127 cm) and shall not exceed 59 inches (149 cm) for correct exponencic lifting and fume exposure. This will allow the operation of the equipment, including sealant loading, from curbside. Loading systems that require the operator to step onto the melter are unacceptable. The opening shall have a minimum area of 252 square inches (1,625 square cm), while not exceeding 275 square inches (1,774 square cm) in order to prevent heat loss, and shall be hinged to allow placement of a block of sealant coto lid and clouve of lid for cases, sati-square loading loading.

HEATING SYSTEM

The heat transfer oil is heated by one 12-volt, 250,000 BTU high efficiency forced air diesel fired burner directly at the bottom of the heat transfer oil tank. The total area exponed to the burner shall be a minimum of 5,244 square inches (33,832 square om). The material tank shall have a minimum of 4,267 square inches (27,529 square cm) of contact with the heat transfer oil by pump shall be accepted. This provides for a melt rate of 1,000 pounds (450 kg) per hour.

IGNITION OF BURNER

The burner shall be lit by a constant duty high voltage transformer powering an electric spark igniter. This igniter shall work in conjunction with a sensor that dotors a lack of burn or ignition and shuts down the fuel supply. The thermostat control is located on the curbside of the machine for operator safety.

INTEGRATED CONTROL SYSTEM

The malter applicator shall have electronic thermostat controls that will automatically regulate hot oil, material and hose temperatures and in turn display these temperatures on digital readouts. The controls shall operate at temporature ranges needed for proper application of sealant. They shall be activated by a single power switch, which will then runn on the agitator and pump at the proper time by use of interlock. The interlock for the agitation system will not allow the agitator to be activated until the material temperature reaches 275° and the interlock for the pumping system will not allow the pump to be activated until the hose temperature reaches 226°. All temperature controls shall be contained in a single weatherproof control box. This control box shall also contain the engine (aprilico controls, hour meter and any engine gauges.

DRIVE AND DRIVE CONTROLS

The motive force to the agitator and material pump shall be hydraulic motors driven by a single hydraulic pump. The drive controls governing the rotational speed of the agitator and material pump shall be controlled by adjustable hydraulic valves. The drive controls governing the speed of the material pump shall be controlled electronically from the rear of the machine. The material pump will have infinite speed control and is electrically actuated by a toggle switch on the control of an awitch on the hand wand. Material pump can be reverted as required.

AGITATION

The scalant material shall be mixed by a hydraulically driven, fall sweep vertical agitator with two opposing horizontal paddles and vertical risers attached to the ends. This feature ensures that material remains in complete suspension and that the hot material stays in the lower area of the tank and does not get splashed or thrown to the upper areas of the tank. The agitation system shall be chain driven from the hydraulic motor to the agitator. The agitator rotates in both directions. For additional safety the agitator will shut off automatically when the loading hatch is opened.

BI-DIRECTIONAL VARIABLE SPEED PUMPING UNIT

A hardened steel gear pump is located in the center of the material tank attached to the bottom of the tank. Pumping of material is controlled by a switch on the hand wand and output is controlled hydraulically. The pump and agitator drives that stands vertically attached to two motors on the top surface of the tank. One motor rotates an axial tuble having radial mixing blackes at the chamber bottom. The second motor drives a coaxial shaft running through the tube to the pump. Seelant pumping shall be on demand. When pumping stops, all line pressure and sealant flow shall stop. No external valves shall be used in the pumping sealant delivery system. The pump hall be capable of delivering sealant at a rate that exceeds the multi rate of the unit.

ACTIVE PUMP PROTECTION

The pump shall be completely encircled by a protective screen. The screen shall not allow anything larger than ½ inch (1.27 cm) in size to pass from the sealant tank into the pump suction port. The screen shall continuously rotate 360° around the pump whenever the sealant agitator is engaged. The active screen will protect the pump from foreign object damage and will self-clean as it rotates around the sealant pump and suction port.

SEALANT HOSE AND APPLICATOR WAND

Both the hose and wand are heated by low voltage electric current and are temperature regulated. Due to weight and safety considerations, an olijacketed hose is unacceptable. The hose shall be specifically manufactured for handling liquid asphalt products up to 500° F (260° C) at 500 psi

(34.47 bar) working preasure. Hose shall not be less than 18 feet (5.48 m) in length. For maximum operator safety it shall be made of stainless steel braid with a 3/4 inch (1.91 cm) inside diameter and shall be Tefton lined. Further, it shall be heavily insulated to prevent hot material from leaking out. Total diameter of the hose shall be not groater than 2 ¼ inch (5.72 cm). The total weight of the hose shall not exceed 20 pounds (9.07 kg). The hose is to be wrapped with a minimum of three electrical wires with terminal ends. The wires will be capable of heating the hose to 400°F (204° C) in less than 45 minutes and have variable temperature control capability. The hand wand shall be constructed of steel with sufficient strength to withstand normal day-to-day operation. Material flow is controlled by a trigger switch. For greater operator mobility, the connection between the wand and hose shall be through a 360° swivel. There shall be no obstruction or valves between the material pump and

The base is supported by a 6 ft. boom (1.83 m), which awivels side to side on dual pillow block bearings. The boom is centered at the rear of the

ENGINE

The unit shall be equipped with a diesel engine complying with the following specifications: Electric Start Three Cylinder 33,3 HP (24.83 kw) @ 3000 RPM • 3.62" (92 mm) Stroke Constant Speed Mechanical Governor 91.3"3 (1.49i) Displacement Full Flow Oil Filter 3.27* (83 mm) Bore 22 to 1 Compression Ratio Water Cooled The engine speed is preset at the factory for optimal alternator output to power the heated wand and hose. Engine Shutdown Package (low oil pressure & high temperature)

FUEL CAPACITY

The melter shall have a 32 gallon (121 I) diesel fuel tank for operation of the entire unit. The unit will be capable of operating for a minimum of 12 hours on one tank of fuel. The tank shall be equipped with full length sight gauges for fuel level indication protocted in a steel cover.

AIR COMPRESSOR

The meter shall be equipped with a 53.8 cfm (1525 1/m) @ 100psi (6.89 bar), Rotary Vane Air Compressor. The compressor shall be driven hydraulically and the air pressure is controlled by a continual intake valve modulation which adjusts the air flow to increase or decrease depending on the user's demands. The compressor has an integral torreidal cooler to maintain proper oil temperature, along with a high temperature shutdown switch for safety. The unit shall also be equipped with a self-contained air to oil hydraulic cooler with an electric switch to turn on/off the cooling fan. The noise level which the compressor puts out is 78 dba @ 1 meter,

PAINT

All painted surfaces shall be coated with DuPont two-part epoxy primer and DuPont two-part urethane paint applied by DuPont certified painters.

- OPTIONS (X if to be included:) 2 5/16 inch Ball Hitch 2 inch Pintle Hitch Sealant Tip Adapter 3 inch Pintle Hitch ____ V-shaped Squcegee (Qty.___)
- ____ 3 inch Applicator Disk
- Cold Air Lance ____
- _____I/2 inch Round Sealing Tip
- Extra Electric Hose
- Hot Air Lance -
- ____Lockable Battery Cover Extra Hydraulic Filter
- Auto Loader
- Lockable Engine Cover ____
- Fire Extinguisher Mounted on the Trailer Frame
- Hydraulic Oil Sight Gauge
- Mast Mounted Strobe Light
- Tool Bax
- Self-Propelled Power Wheel Overnight heater
- _ Custom Paint
- _ __Hitch Extension, 29"
- Hitch Extension, 34"

TRAINING

An authorized, factory-trained representative will be made available for a full day of training at a facility designated by the bidding agency. At this training session a complete operational, mechanical and safety overview will occur. The CD manual will be viewed and discussed with all concerned personnel. Additionally, the representative will be available at that time for "on the job" safety and field training.

SAFIETY AND TRAINING MANUALS

A written Safety Manual will be provided to the bidding agency.

PARTS

Bickders must show proof that a large stock of parts for the model of equipment upon which he is bidding is maintained at his facility.

AWA RD

Equipment is for use by the Highway Department and must meet the requirements of that agency as interpreted by the Highway Commissioner. Priver to award the Purchasing Agency may require a visit to the supplier's facility to assure supplier has plant capacity to manufacturer and deliver equipment on time as required. If it is determined that the supplier cannot supply as requested, this is just cause for cancellation.

WAR RANTY

The manufacturer shall warranty the equipment for one year or as otherwise noted in the manufacturer's standard warranty policy.

QUAL IFICATIONS OF BIDDERS

No bid will be considered unless the bidder can meet the following conditions:

- That it has in operation a parts/service location and keeps a sufficient stock of parts on hand at all times.
 That it is hidding more the stock model about a sufficient stock of parts on hand at all times.
- 2. That it is bidding upon the stock model chassis that meets the requirements of the specifications without material changes or modifications. The model is regularly advertised and sold as having a capacity of not less than called for herein. The bidder has been engaged in the manufacture of equipment of the type bid upon for at least twenty-four months.

APPROVED EQUAL

The approved make and model for this specification is a Crafco Super Shot 125 Diesel Fueled Melter Applicator with Compressor for crack sealing. Bidders offering to supply other than the approved make and model must supply a detailed description of the equipment being offered. For purposes of comparison a separate list of all deviations to this specification must be attached to your bid document.

Prior to bid award an on-site demonstration of the equipment offered may be requested. All bidders offering other than the approved model listed will be required to provide an on-site demonstration to verify that their unit complies with all specification requirements before their bid will be considered.

Pailure to carry out the provisions noted herein is deemed sufficient reason to reject the bidder's proposal.

HOT APPLIED SEALANT, Part No. 8010218B

PRODUCT DATA SHEET JANUARY 2011

DESCRIPTION DEERY 102-18B is a hot applied, single component, elastically modified composition of asphalt cement, virgin synthetic polymer, recycled rubber, and other modifiers. The sealant contains no solvent, is pre-reacted and conforms to the requirements of ASTM D5078 and ASTM D6690 Type I. Approved for use as Overband Crackfill as indicated by Michigan DOT special provisions - stand alone application. DEERY 102-18 B contains a minimum of 16% recycled rubber by weight of asphalt cernent. VOC=0 gl.

<u>USE</u> DEERY 102-16B is a medium high viscosity pavement preservation sealant intended for highway and street applications for sealing longitudinal and transverse joints and random cracks in Asphalt or Concrete pavements where use of maximum levels of recycled rubber is desirable. Ideal for use in an overband configuration. Properly installed, DEERY 102 - 18B is an effective barrier against damage from debris and moisture infiltration into cracks and joints within regions experiencing moderate high and low pavement temperatures.

<u>HEATING</u> Sealant shall be heated in a hot-oil jacketed melter capable of constant mechanical agitation and equipped with a calibrated thermometer to monitor sealant temperature. Material shall be heated to and maintained at Recommended Application Temperature during use. Material can be cooled and then reheated, but only if prolonged heating is avoided. Prolonged heating at or above Recommended Application Temperature may severely damage product. If overheating damage occurs, immediately drain machine completely and refill with new material.

<u>APPLICATION</u> DEERY 102-18B is pre-reacted and can be applied immediately after heating to Recommended Application Temperature. With pavement temperature at 40°F (4°C) or higher, place material into clean, dry crack or prepared reservoir by means of a hand-held pour pot, wheeled push bander or wand applicator. Squeegee to desired width and wipe excess sealant tight to pavement surface. Pavement may be warmed to 40°F (4°C) or higher with a Hot Air Lance.

When sampled and her	PROPERTIES of DEERY 102-18B ated to maximum heating temperature in accorda	ance with ASTM D5167
TEST Cone Penetration @ 77°F (25°C) Flow @ 140°F (60°C) Bond @ -20°F (-29°C), 50% ext. Resilience @ 77°F (25°C) Flexibility, -20°F (-28°C), *, 90 degrees, Asphait Compatibility Vulcanized Recycled Rubber Content By Weight of Asphait Cement Comp	ASTM D5329 ASTM D2172	SPECIFICATION 50 - 90 dmm 5.0 mm maximum Pass 3 cycles 25% - 70% Pass Pass 18% minimum
Recommended Application Temperature Maximum Heating Temperature	ASTM D5167 ASTM D6690	380-400°F (193-204°C)* 400°F (204°C)

*Temperature of product measured at pavement surface. Use highest Recommended Application Temperature in cool weather. *Prolonged heating at or above Recommended Application Temperature may severely damage product.

PACKAGING Material is packaged in cardboard boxes sized to accommodate a maximum of 40 lb (18.0 kg). Material contained in each box is wrapped in a quick melt liner which is dissolved and incorporated into the melted product. Standard packaging is 30 lb (13.6 kg) per box, palletized 75 boxes per pallet with an approximate net weight of 2,250 lb (1,021.0 kg). Pallets are moisture protected with a plastic wrapping and bound with a minimum of two layers of UV resistant stretch wrap.

FOR ADDITIONAL INFORMATION

Call:1-800-227-4059 toll free

Email:info@deervamerican.com Web: www.deeryamerican.com

<u>PERFORMANCE</u> Temperature fluctuations, site conditions, surface preparation, traffic, installation technique, material selection, shape factor and surface treatment compatibility influence the effectiveness and useful life of Pavement Preservation treatments. Consider and monitor each element for optimum results. Purchaser and end user should determine applicability for use in their specific conditions.

<u>WARRANTY</u> Manufacturer warrants that these products meet applicable ASTM, AASHTO, Federal or State specifications at time of shipment. Techniques used for the preparation of the cracks and joints prior to sealing or filling are beyond our control as are the use and application of the products; therefore, manufacturer shall not be responsible for improperly applied or misused products. Remedies against manufacturer, as agreed to by manufacturer, are limited to replacing nonconforming product or refund (full or partial) of purchase price from manufacturer. All claims for breach of this warranty must be made within three (3) months of the date of use or twelve (12) months from the date of delivery by manufacturer, whichever is earlier. There shall be no other warranties expressed or implied. For optimum performance, follow manufacturer recommendations for product installation.



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Engineered Tools Sealing Tips and Material Handling Tools

Super Shot Drip Stopper Use with Crafco Super Shot sealing tip. Stops sealant drip once wand trigger is released. 0 - PN# 27114 Tip Adapter 9 - PN# 50270 Duckbill Valve

O - PN# 27115 Shroud - Tip Adapter Swivel Applicator

3" Swivel Applicator - PN# 27120 4" Swivel Applicator - PN# 27130 Use with Super Shot Melter & E-Z Pour Melters with or w/o Drip Stopper.

Crafco Duckbill PN# 50270 Use with Super Shot Melter wands to prevent dripping of material.

Crafco Sealing Foot / Flush Used for random asphalt and concrete cracks PN# 27154 - Sealing tip/ft assembly 1/4" flush PN# 27155 - Sealing tip/ft assembly 3/8" flush

Crafco Sealing Foot / Protruded Use for straight asphalt and concrete joints. Ptv# 27159 - Sealing tip/ft assembly 1/4" protruding ,PN# 27160 - Sealing tip/ft assembly 3/8" protruding

Crafco Joint Sealing Tip

INC

AN ERGONE COMPANY

Use for straight asphalt and concrete joints. PN# 27146 - Sealing lip assembly 1/4" PN# 27147 - Sealing lip assembly 3/8"

Crafco Round Sealing Tip Multi-purpose for random cracks and joints,

420 N. Roosevelt Ave., Chandler, Arizona 85226 • Phone 1-602-276-0406 / Fax: 1-480-961-0513

Crafco Detack is an economical, biodegradable liquid from Crafco that eliminates sealant tack when sprayed onto freshly applied hot pour sealant.

Use with a squeegee for most applications. PN# 27170 - Sealing to assembly 3/8" Crafco RoadSaver Sealant & Links Car 199

www.crafco.com

a sealant over band is recommended. Crafco Replacement Blade PN# 27241 2 1/3 in. x 17 in. x 3/8 in. Crafco Pour Pot with Wheels

Used for leveling crack sealant and where

Crafco Heavy Duty Squeegee w/Aluminum Handle PN# 27199

Used for leveling crack sealant and where

a sealant over, band is recommended.

Cratco Replacement Blade PN# 27195

Crafco Heavy Duty Compact

Squeegee w/Aluminum Handle

4 in. x 18 in. x 3/8 in.

PN# 27245

PN# 40200 Used to apply a uniform band of sealant to a crack or joint. Wheeled for ease of use. Gravity feed with shut off lever.

Crafco Hand Held Pour Pot PN# 40201 For application of thin crack sealant to a joint or crack. Gravity feed with shut off lever.

DETACK

our local Craico Representativ

505.01

Section 505. OVERBAND CRACK FILL

505.01 Description. Clean cracks in hot mix asphalt (HMA) pavements and place the specified materials into and over the crack. Place temporary pavement markings where overband materials obliterates the existing pavement markings.

505.02 Materials. Use overband crack filler composed of a mixture of polymer modified asphalt cement and polyester fibers blended to provide 4.5-5.5 percent polyester fibers, by weight. Use materials meeting the following.

Polyester Fibers .			904
Polymer Modified	Asphalt	Cement	904

505.03 Construction

A. Equipment.

- Compressed Air System. Furnish and use a compressed air system that produces a continuous, high-volume, high pressure stream of clean dry air to prepare cracks. Equip the air compressor with a moisture separator to remove all oil and water from the air supply. Provide a compressor that can produce a minimum of 100 psi and continuous 150 cfm air flow.
- 2. Melter Applicator. Provide a melter applicator consisting of a boiler kettle equipped with pressure pump, hose and applicator wand. Equip the hose with a shutoff control. Place a mechanical full-sweep agitator in the kettle to provide continuous blending. Equip the unit with thermometers to monitor the material temperature and the heating oil temperature. Provide thermostatic controls that allow the operator to regulate material temperature up to 425 °F.
- 3. Application Wand. Apply the material by either a wand followed by a "V" or "U" shaped squeegee or a round application head having a concave underside. Apply 4 inches wide for standard coverage. With the prior written approval of the Engineer, application width may be increased to a maximum of 6 inches to provide complete and uniform coverage over multi-crack areas. Apply sealant at a thickness of ½ to 3/16 inch.

505.03

4. Heat Lance. Use of a heat lance is allowed to assure that no residual moisture is present in the crack or on the pavement surface where the overband is to be applied. Do not attempt to seal soaked pavement cracks by drying the pavement surface with a heat lance.

B. Pre-Construction Meeting. The Engineer will hold a meeting before beginning the work to discuss the following.

- 1. The Contractor's detailed work schedule.
- 2. The traffic control plan.
- 3. Required project documentation.
- 4. Inspection of the condition and adequacy of equipment.

C. Crack Preparation. Clean cracks using compressed air and other tools necessary to remove all loose dirt, vegetation and foreign material. Clean cracks no more than 10 minutes ahead of the filling operation.

D. Application. Apply the material to dry and thoroughly clean cracks. Apply as follows unless otherwise specified:

- Stand Alone Overband Crack Fill. When no other surface treatment will be applied to the pavement, fill all visible cracks in the roadbed.
- Micro-Surfacing Preparation. When preparing the pavement for a micro-surface overlay, fill all visible cracks in the roadbed.
- 3. Chip Seal Preparation. When preparing the pavement surface for a single or double chip seal, limit filling to cracks more than ¼ inch wide or 3 feet long. Seal cracks with varying widths, portions of which are ¼ inch or greater, along their entire length.

E. Mixing Procedure. When using field mixed material, add the polyester fibers to the polymer modified asphalt cement and thoroughly mix in the kettle. Do not exceed 400 °F in the field mix or prepackaged material.

F. Required Project Documentation. Provide the Engineer, on a daily basis, a report with the following information:

1. Control section, job number, and route number

2. Date, air temperature (°F), a.m. and p.m. weather

505.04

- Beginning and ending locations for the day, including lane(s) and direction
- 4. Quantity of materials used for the day, including lot number.
- Traffic control typically used, number of traffic control moes, and checks on the traffic control conducted
- 6. Unique or different situations on the project
- 7. Contractor's signature

G. Weather Limitations. Place material when the pavement temperature is 40 $^{\rm oF}$ or greater. Do not place material if moisture is present in the crack.

H. Protecting the Work. Do not permit traffic on the overband crack filler until the material has cooled sufficiently to prevent tracking by vehicle tires. Protect the completed work with cover materials approved by the Engineer. Do not use paper products as cover material. Replace existing pavement markings obliterated by the crack treatment work with temporary pavement markings before the roadway is opened to traffic.

All costs associated with repair of work damaged by traffic and placement of temporary pavement markings will be borne by the Contractor.

I. Acceptance of Work. When work is complete on the project, or on a route or job included in the project, schedule an inspection of the work with the Engineer. The Engineer will note all deficiencies including areas exhibiting adhesion failure, cohesion failure, missed cracks, or other factors that show the work is not acceptable. Redo work identified by the Engineer as not acceptable.

Notify the Engineer upon completion of required corrective work, or upon completion of work on the route, job, or project if corrective work is not required.

505.04 Measurement and Payment.

Contract Item (Pay Item)	Pay Unit
Overband Crack Fill, Roadbed	Roadbed Mile
Overband Crack Fill, Ramp	

Overband crack fill includes preparing and filling cracks; providing the required documentation; and all corrective action and temporary traffic

505.04

markings required. Overband Crack Fill, Roadbed will be measured along the roadway centerline and will include the traffic lanes, the paved shoulders, and all auxiliary lanes. For a divided highway, the roadbed will be measured separately in each direction. Overband Crack Fill Ramp, Ramp will be measured along the ramp centerline.

~

Super Shot Melter/Applicators

INC AN ERGONE COMPANY "Pavement Preservation Products"

SUPER SHOT MELTERS

A PART OF THE CRAFCO PAVEMENT PRESERVATION SYSTEM

Crafco's total Pavement Preservation Systems include Engineered Performance Applicators and Sealants: Although all our melter/ applicators work well with all brands of hot pour sealants, we recommend our Performance Verified sealants for your next project. All sealants are not alike; sealant must be engineered for the proper use and climate. To assist in selecting the right system for your specific application, request a copy of the "Sealant, Adhesive and Patching Products" literature from Crafco or consult your local authorized Crafco Systems representative. Crafco Pavement Preservation Systems represent products that are 100% recyclable, from the containers that they are shipped in to the products themselves. Preserve and protect with Cralco Preservation systems.

Engineered Peri

in Safety

Crafco Super Shot Melter/Applicators Engineered Performance answers todays challenges of high energy costs and small budgets with innovative features. Available in three sizes to match budgets and job criteria. Super Shot machines get the job done, and get the job done right, quick and economical. No other machine on the market today can match Crafco's Engineered Performance System Machines.

Engineered Efficiency. Crafco's Super Shot engineered pump is mounted inside the melter, eliminating material recirculation, outside plumbing and high-pressure lines, which decreases pump wear. By eliminating the need for re-circulation the pump runs only when material application is needed making this an "on-demand" system which increases pump life

and operator safety. Additionally, an internally mounted pump requires no packing eliminating maintenance. Less maintenance in the shop means more production on the job, more profit and less costs.

Engineered Options and Features Standard Engineered Features make the operation of these melters the safest and the easiest machines to operate. Many of the other features reduce labor and operating costs. The most impressive are the Super Shot Melter Engineered Options. Design the machine you want with these options. Add an optional industrial air compressor and save the cost of running an additional engine and tow vehicle de With over 20 available, options you will save time. money and man power.

Angled Loading Lid (2) Anti-Splash Lid (3) Low Profile Loading Height 4 Hot Oll and Sealant Shut Down 5 Rear Control Box/Digital Gauges 6 Lid Agitator Shut Off Switch Bearing Boom 8 Hose Cover 9 Low Curb Height 10 Hitch Extension to protect the operator and the public. In addition to standard safety features are 11 Quiet Operation optional engineered features such as the autoloader which keeps the operator clear of hot sealant and adds efficiency to the process. Rear controls keep the 12 Curb side Controls

13 Heat Transfer Overflow Tank The purchase of a jacketed matter with no overflow tank may cause ground contaminati

items not indicated: Safety Chains, Breakaway Switch, Light Board, Fire Extinguisher, Auto Shut Off, Safety Manual, and Autoloader.

Super Shot Melter/Applicators are loaded with standard safety features designed

operator away from traffic on both sides of the unit and the bearing hose boom

reduces operator fatigue. Anti splash lids with safety shut off's protect the operator

from sealant splash. Review the innovative features of Crafco Melters and you will find these machines to be the most safely engineered machines available.

CRAFCO ENGINNERED SUPER SHOT MELTERS ARE BUILT TO LAST.

Engla



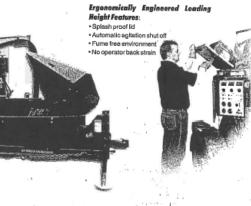


The 'Crafco Super Shot series melter/applicators represent the most technologically advanced melter/applicators available. These state-of-the-art machines offer the ultimate in efficiency and ease of use. The digital control features of this equipment accurately control and regulate the heating temporature of the sealant and transfer oil. The patented internal pumping system requires no clean out and features a hydraullic flow rate adjustment. The internal pump only operates when the operator activates the micro-switch on the applicator wand. With 'On Demand' pumping there are no valves, fewer moving parts and no hose pressure build up with this state-of-the-art design. Super Shot melters will out-perform any comparable sized machine available. Crafco offers a one-year warranty, more options, and greater safety, making these machines the greatest value with the highest productivity of any melter. The Crafco Super Shot Melters are the most efficient and easy to use melter/applicators available today!

There are three sizes to choose from. The Super Shot 60 is a 60-gallon capacity unit, which features automatic digital controls. It is propane fired, with a heated hose and wand. This machine is designed for used on projects under 2,000 pounds of sealant per day. The Super Shot 60 is also available as a skid mount.

The mid-sized 125 gallon capacity Super Shot 125 offers the best versatility. Ideal for mid to large sized projects; this unit is diesel powered, available with an optional compressor or a labor saving Autoloader. This is our most popular municipal unit.

The oversized 250-gallon SS250 is designed for large projects. This machine will out-perform any melter in its class and is available with many standard options.





HIGH EFFICIENCY MELTERS FEATURING AN ALL NEW HEAT TRANSFER TOWER

Longer Pump Life • Efficient and Aggressive Agitation

The patented pump technology of the Crafco Super Shot meiters is what makes the Super Shot the most productive and lowest maintenance meiter in the industry. The Crafco patented pump is mounted inside the melter. Mounting the pump inside eliminates material re-circulation, outside plumbing, high-pressure lines while decreasing pump wear, make this a true 'on-demand's system. The Super Shot pump will last many times longer than a conventional pump. Internal pumps require no packing that can leak eliminating packing maintenance in the shop and more production on the job.

Super Shot 250

	SUPER	SHOT	60 9	SUPER	SHOT 1	25 9	SUPER S	HOT 250	1418) 1
1 Dimensions							174.00°C/91.25'W/81.00'H		8 m.e.
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For bid specifications po to WWW.crafco.com.



Engineered Performance Features

bbed Reinforce

Welded Frame

QUICK AND EASY START-UP Č.

Shut-Off and

Splash Proof Lid

incorporated into the

Shut offs are

lid, hose, wand,

pump, burner, and

electrical controls.

With the flip of a toggle switch the Super Shot will be ready to operate 6- 0- 0-1 •- •- •- •: in less than an hour. Shut down at the end of the day is just as easy. 100 100 100



Control System

entire unit and overrides;

possible operator error.

Integrated control box

houses all the gauges,

. switches, and engine.

Controls operate the

lance used to clean out the elements.

HEATED HOSE The low voltage electric heated hose heats material to application temperature within 45 minutes. The hose has the longest working radius in the industry, a 360* swivel, protected sleeve, and a repairable hose and wand.



 Engine Cover Gravity Feed

Low Profile

Burner is positioned Low center of gravity safely within the frame giving It 1. provides easy loading, yet has ample protection and ample unobstructed ground ground clearance. clearance for sale Time saving electric towing over the most overnight pre-heater rugged road option available. conditions.

Engineered Performance **Options**

Optional '

Compressor

dirt and debris from

sealing efficiency.

cracks increasing crack

Crafco offers many Engineered Performance Options to increase production, save labor and lower operating costs. The versatility of the Super Shot units allows you to specify options in your time frame, from the initial placement of the order all the way through production. Most Super Shot units have been engineered to accept any option, whether it's an autoloader, compressor, light bar or fire extinguisher. These options will enhance production, increase safety and security.

Engine covers and battery boxes protect the engine from the elements and add security. The autoloader increases production, adds safety and decreases operator fatigue. The overnight heater is an on the job must if you want to reduce start up time. The light bar is essential for added safety to direct traffic and

increase driver awareness. No other machine comes as complete or as diversified.



Optional

Engine Cover

vandalism and theft.

 Arrow Board Kit Surge Brakes Engine w/ Gauges Autoloader 50, 70 CFM Compressor Custom Paint Hitch Selection Electric Plug Selection Hitch Extension Cab Brake Control · Break-away Battery w/ charger Locking Battery Box Light Bar Overnight Heater . Fire Extinguisher - 10 or 20 lb Tool Box Safety Hooks Mud Flaps Spare Tire Kit 100 lb propane tank kit



Last.

CRAFCO ENGINEERED OPTIONS AND FEATURES REDUCE OPERATING AND LABOR COSTS

OVERBAND CRACK FILL

ASSOCIATION OF COUNTY ROAD SUPERINTENDENTS OF MICHIGAN

OCTOBER 5, 2011

BURT R. THOMPSON, P.E.



DON'TS

Excessive cracking should not be treated with this material

- there is something wrong in the base and crack filling will not solve the problem, or
- the pavement is beyond crack filling
- is just a waste of material

DON'TS

This can become a hazard

- it can become slippery when wet
- motorcycles don't like it



•Reptile's brain is conditioned to favor safety and survival. •Strategy is to appeal to part of the brain responsible for survival instincts.



 Plaintiff's attorney wants the jury to make decisions rooted in fear, not reason or logic.



 Caging the Reptile •Avoid the "safety rule" trap •Show the jury the complexity that the reptile cannot comprehend.





Thank you!







February 5, 2019